

## PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
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**PCT** VOLPE & KOENIG, P.C.  
NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing  
(day/month/year)

19 FEB 2004

Applicant's or agent's file reference

1-2-0284.1WO

## IMPORTANT NOTIFICATION

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US03/06464

04 March 2003 (04.03.2003)

08 March 2002 (08.03.2002)

Applicant

INTERFDIGITAL TECHNOLOGY CORPORATION

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

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Form PCT/IPEA/416 (July 1992)

## PATENT COOPERATION TREATY

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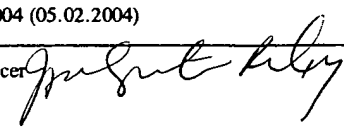
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FEB 23 2004

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

VOLPE &amp; KOENIG, P.C.

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1-2-0284.1WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US03/06464	International filing date (day/month/year) 04 March 2003 (04.03.2003)	Priority date (day/month/year) 08 March 2002 (08.03.2002)
International Patent Classification (IPC) or national classification and IPC  IPC(7): H04B 1/02, 7/02, 7/185; H03C 7/02 and US Cl.: 370/252, 339, 437, 442, 345; 375/ 347, 349; 455/ 13.3, 510, 512, 516, 522, 523, 63, 67.1, 67.3, 101		
Applicant  INTERFDIGITAL TECHNOLOGY CORPORATION		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>		
Date of submission of the demand 08 October 2003 (08.10.2003)	Date of completion of this report 05 February 2004 (05.02.2004)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230	Authorized officer  Edan Orgad Telephone No. 703-305-4223	

Form PCT/IPEA/409 (cover sheet)(July 1998)

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/US03/06464**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>1-35</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-35</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-35</u>	YES
	Claims <u>NONE</u>	NO

**2. CITATIONS AND EXPLANATIONS**

Claims 1-35 meet the criteria set out in PCT Article 33(2)-(3).

Regarding claims 1, 6 and 11, the prior art does not teach or fairly suggest a communication comprised of sequentially transmitted slots of equal length received by at least two antenna assemblies for connection to a device for processing, however, what the prior art fails to specifically disclose is that the communication specifically comprises:

- a) transferring outputs of said antenna assemblies to said device in an alternating fashion so that successive slots are transferred to said device from a different one of said antenna assemblies;*
- b) monitoring each received slot for signal quality; and*
- c) modifying the transferring sequence so that at least two consecutive slots are transferred to said device from that one of the antenna assemblies providing slots of better signal quality for every single slot of lesser signal quality transferred to said device by the remaining one of the antenna assemblies.*

Regarding claim 25, the prior art or record, specifically Paneth et al (US 2003/0067895).

teaches an apparatus for processing a communication received by at least two antenna assemblies (fig. 3, elements 32a-32c), said communication begin comprised of sequentially transmitted slot of equal length (¶ 0008), said apparatus comprising: a channel estimator (fig. 3, element 29; ¶ 0072), a first and second units for determining signal quality based on at least one of history, recent channel estimation and optimization (fig. 3, elements 30a-30c & 27; ¶ 0074, 0081 & 0082). However, Paneth et al is a "P" reference and therefore does not fall under PCT rule as prior art.

----- NEW CITATIONS -----